United Nations A/C.5/60/L.19

General Assembly

Distr.: Limited
21 December 2005

Original: English

Sixtieth session
Fifth Committee
Agenda item 135
Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Draft resolution submitted by the Chairman following informal consultations

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

The General Assembly,

Having considered the reports of the Secretary-General on the financing for the biennium 2006-2007 of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991,[1] on staff retention and legacy issues[2] and on the revised estimates arising from the effect of changes in rates of exchange and inflation,[3]

Having also considered the related reports of the Advisory Committee on Administrative and Budgetary Questions,[4]

Recalling its resolution 47/235 of 14 September 1993 on the financing of the International Tribunal for the Former Yugoslavia and its subsequent resolutions thereon, the latest of which were resolutions 58/255 of December 2003 and 59/274 of 23 December 2004,

1. *Takes note* of the reports of the Secretary-General on the financing for the biennium 2006-2007 of the International Criminal Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law

[1] A/60/264.
[2] A/60/436.
[3] A/60/600.
[4] A/60/591 and A/60/7/Add.32.

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Committed in the Territory of the Former Yugoslavia since 1991,[1] on staff retention and legacy issues[2] and on the revised estimates arising from the effect of changes in rates of exchange and inflation;[3]

2. *Endorses* the conclusions and recommendations contained in the related reports of the Advisory Committee on Administrative and Budgetary Questions;[4]

3. *Decides* to appropriate to the Special Account for the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, a total amount of 305,137,300 United States dollars gross (277,543,000 dollars net) for the biennium 2006-2007, as detailed in the annex to the present resolution;

4. *Decides also* that the total assessment for 2006 under the Special Account would amount to 152,568,650 dollars, being half of the estimated appropriation approved for the biennium 2006-2007;

5. *Decides further* to apportion the amount of 76,284,325 dollars gross (69,385,750 dollars net) among Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2006, as set out in its resolution _____;

6. *Decides* to apportion the amount of 76,284,325 dollars gross (69,385,750 dollars net) among Member States in accordance with the scale of assessments applicable to peacekeeping operations for 2006;

7. *Decides also* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraphs 5 and 6 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 13,672,400 dollars approved for the International Tribunal for the Former Yugoslavia for 2006;

8. *Decides further* that the provisions for the applications of credits under regulations 3.2 (d), 5.3 and 5.4 of the Financial Regulations of the United Nations[5] shall be suspended in respect of the amount of 21,012,700 dollars gross (21,962,900 dollars net), which otherwise would have to be surrendered pursuant to those provisions;

9. *Encourages* the International Tribunal for the Former Yugoslavia to continue its efforts to refer cases involving intermediate and lower-ranking accused to competent national jurisdictions in the former Yugoslavia pursuant to rule 11 bis of its Rules of Procedure and Evidence.

[5] ST/SGB/2003/7.

Annex

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

	Gross	*Net*
	(United States dollars)	
Estimated appropriation for the biennium 2006-2007	320 842 900	289 675 800
Revised estimates: effect of changes in rates of exchange and inflation	(15 705 600)	(12 132 800)
Reductions made by the Advisory Committee on Administrative and Budgetary Questions (after recosting)	—	—
Reductions proposed by the Fifth Committee	—	—
Estimated initial appropriation for the biennium 2006-2007	305 137 300	277 543 000
Assessment for 2006	152 568 650	138 771 500
Of which:		
Contributions assessed on Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2006	76 284 325	69 385 750
Contributions assessed on Member States in accordance with the scale of assessments applicable to peacekeeping operations of the United Nations for 2006	76 284 325	69 385 750